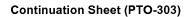
Advisory Action Before the Filing of an Appeal Brief

Applicant(s)		
HAMILTON, WAYN	HAMILTON, WAYNE J.	
Art Unit		
3656		
	HAMILTON, WAYN	

	TERENCE BOES	3656		
The MAILING DATE of this communication appe	ears on the cover sheet with the o	correspondence add	ress	
THE REPLY FILED 01 July 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.				
1. The reply was filed after a final rejection, but prior to or on application, applicant must timely file one of the following application in condition for allowance; (2) a Notice of Apple for Continued Examination (RCE) in compliance with 37 Coperiods:	the same day as filing a Notice of a replies: (1) an amendment, affidavi eal (with appeal fee) in compliance	Appeal. To avoid abar t, or other evidence, w with 37 CFR 41.31; or	hich places the (3) a Request	
a) \square The period for reply expires 3 months from the mailing date				
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire Examiner Note: If box 1 is checked, check either box (a) or MONTHS OF THE FINAL REJECTION. See MPEP 706.07(ater than SIX MONTHS from the mailinǫ b). ONLY CHECK BOX (b) WHEN THE	g date of the final rejection	n.	
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of ex under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	tension and the corresponding amount of the statutory period for reply origing than three months after the mailing date.	of the fee. The appropria nally set in the final Office	ate extension fee e action; or (2) as	
2. The Notice of Appeal was filed on <u>01 July 2009</u> . A brief ir date of filing the Notice of Appeal (37 CFR 41.37(a)), or a Since a Notice of Appeal has been filed, any reply must b	ny extension thereof (37 CFR 41.3)	7(e)), to avoid dismiss	al of the appeal.	
<u>AMENDMENTS</u>				
3. The proposed amendment(s) filed after a final rejection, (a) They raise new issues that would require further co (b) They raise the issue of new matter (see NOTE belo	nsideration and/or search (see NOī w);	ΓE below);		
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or				
(d) They present additional claims without canceling a	corresponding number of finally reje	ected claims.		
NOTE: (See 37 CFR 1.116 and 41.33(a)).	24. Can attached Nation of Nan Ca		DTOL 224)	
4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).				
 5. Applicant's reply has overcome the following rejection(s): 112 second paragraph. 6. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 				
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is provided that the status of the claim(s) is (or will be) as follows: Claim(s) allowed:	☑ will not be entered, or b) ☑ wil vided below or appended.	l be entered and an e	∢planation of	
Claim(s) objected to: Claim(s) rejected: <u>7-10, 14-16</u> .				
Claim(s) withdrawn from consideration: AFFIDAVIT OR OTHER EVIDENCE				
8. The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e).				
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to a showing a good and sufficient reasons why it is necessary.	vercome <u>all</u> rejections under appea and was not earlier presented. Se	al and/or appellant fail ee 37 CFR 41.33(d)(1	s to provide a).	
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER				
11. The request for reconsideration has been considered but	t does NOT place the application in	condition for allowan	ce because:	
 12. ☐ Note the attached Information <i>Disclosure Statement</i>(s). 13. ☒ Other: The appended office action is provided as an exp 		ıld be rejected.		
/Richard WL Ridley/ Supervisory Patent Examiner, Art Unit 3656	/Terence Boes/ Examiner, Art Unit 3656			



Application No.